

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:00 AM

2:00-000000

Chapter

- #1.00** Hearings in Judge Bason's courtroom (1545) are now simultaneously (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, and (3) via ZoomGov telephone.
- You are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered). You do not need to call Chambers for advance approval or notice. ZoomGov appearances are free.

ZoomGov Instructions for all matters on today's calendar:

Meeting ID: 161 060 9264

Password: 807432

Meeting URL: <https://cacb.zoomgov.com/j/1610609264>

Telephone: +1 669-254-5252 or +1 646-828-7666 or 833-568-8864 (Toll Free)

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

Chapter 13: Persons needing to contact the Chapter 13 Trustee's attorney, either prior to the hearing or during a recess, can call Kaleen Murphy, Esq. at (213) 996-4433.

Zoomgov hearing etiquette: (a) wait until the judge calls on you, so everyone is not talking at once; (b) when you first speak, state your name and, if you are an attorney, whom you represent (do not make your argument until asked to do so); (c) when you make your argument, please pause from time to time so that, for example, the judge can ask a question or anyone else can make an objection; (d) if the judge does not see that you want to speak, or forgets to call on you, please say so when other parties have finished speaking (do not send a "chat" message, which the judge might not see); and (e) please let the judge know if he mispronounces your name or uses the wrong pronoun.

Docket 0

Tentative Ruling:

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:00 AM

CONT...

Chapter

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:21-17649 Lina Baylosis

Chapter 13

#1.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 60

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 61).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Party Information

Debtor(s):

Lina Baylosis

Represented By
Sundee M Teeple

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:22-15868 LARRY DONNELL ROBINSON

Chapter 13

#2.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 45

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 47).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Party Information

Debtor(s):

LARRY DONNELL ROBINSON

Represented By
Steven A Alpert

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:19-11370 Ronald C Kendrick

Chapter 13

#3.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 62

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 64).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Party Information

Debtor(s):

Ronald C Kendrick

Represented By
Kevin Tang

Trustee(s):

Kathy A Dockery (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:18-18568 Cynthia Ann Alvarez

Chapter 13

#4.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 53

*** VACATED *** REASON: Withdrawn. Dkt. 63.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cynthia Ann Alvarez

Represented By
Heather J Canning
Barry E Borowitz

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:23-14027 Jesse Jose Rivera and Leslie Ann Trevino

Chapter 13

#5.00 Hrg re: Debtor's motion to value collateral
Held by VW Credit Inc.

Docket 17

Tentative Ruling:

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

Party Information

Debtor(s):

Jesse Jose Rivera

Represented By
Rabin Pournazarian

Joint Debtor(s):

Leslie Ann Trevino

Represented By
Rabin Pournazarian

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Jesse Jose Rivera and Leslie Ann Trevino

Chapter 13

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:23-11247 Edmund Lincoln Anderson

Chapter 13

#6.00 Hrg re: Motion for an order disallowing
Claim number 2 of Wells Fargo Bank

Docket 67

Tentative Ruling:

Continue to 10/5/23 at 8:30 a.m., with a **deadline of 9/12/23** for Debtor (1) to re-serve the motion/claim objection and supporting papers, along with (a) a second amended notice of the hearing, setting forth an opposition deadline of 9/25/23 and a reply deadline of 9/29/23 and (b) a copy of this tentative ruling, and (2) to file a proof of service that corrects the address for the claimant, as set forth below. Appearances are not required on 9/7/23. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed: Motion/claim objection (dkt. 67), notice of same (dkt. 68), amended notice (dkt. 71), clarification brief (dkt. 77).

Analysis:

First, both notices of hearing and the clarification brief list the hearing date as 10/5/23, although the motion lists the hearing date as 9/7/23, so it appears that this matter is not properly on for hearing on 9/7/23. Second, the clarification brief does not list the claimant in its proof of service (see dkt. 77, last two pages). Third, all other documents do list the claimant on their proofs of service but those documents misstate the zip code: it is listed as "3346-4605" whereas Proof Of Claim #2 lists the zip code as "33416-4605." See POC #2, line 3.

On this last issue (the incorrect zip code), this Court recognizes that in all likelihood the claimant has received actual notice and due process is

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CONT... Edmund Lincoln Anderson

Chapter 13

satisfied. But the tentative ruling is that service nonetheless is inaccurate, and in any event it is particularly important to provide accurate service of the claim objection and notices of the hearing thereon because there have previously been more than enough missteps in the history of this loan and claims related to this loan so the last thing that is needed is for there to be any additional muddying of the record with an incorrect zip code.

Given the foregoing history, and this Court's discretion in managing deadlines, the tentative ruling is that it is appropriate to adjust the opposition and reply deadlines as set forth at the start of this tentative ruling, pursuant to Rules 3007(a)(1) and 9006(c) (Fed. R. Bankr. P.), on this Court's own motion, pursuant to 11 U.S.C. 105(a).

Party Information

Debtor(s):

Edmund Lincoln Anderson

Represented By
Stella A Havkin

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
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Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:23-13293 Jeffrey Robert Manuel

Chapter 13

#7.00 Hrg re: Motion objection to the proof of claim
of HAPO Community Credit Union

Docket 17

Tentative Ruling:

Continue to 12/7/23 at 8:30 a.m. to allow time for Claimant's motion for relief from the automatic stay to be heard and for it to sell the vehicle and file an amended proof of claim. The tentative ruling is to set a **deadline of 11/22/23** for Claimant to file a brief status report updating this Court on the status of those efforts. Appearances are not required on 9/7/23. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): Opposition of HAPO Community Credit Union (dkt. 20, 21), no reply on file. Lift-stay motion (dkt. 24).

Party Information

Debtor(s):

Jeffrey Robert Manuel

Represented By
Daniela P Romero

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, September 7, 2023

Hearing Room 1545

8:30 AM

2:23-13142 Christopher John Anderson

Chapter 13

#8.00 Cont'd hrg re: Motion for order determining value of collateral [11 U.S.C. section 506(a), FRBP 3012) fr. 7/13/23, 8/10/23

Docket 12

***** VACATED *** REASON: Resolved by stipulation (dkt. 20) and order thereon (dkt. 22).**

Tentative Ruling:

Party Information

Debtor(s):

Christopher John Anderson

Represented By
Rabin Pournazarian

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
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Thursday, September 7, 2023

Hearing Room 1545

9:30 AM

2:00-00000

Chapter

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 9:30 AM
CONFIRMATION CALENDAR CAN BE VIEWED ON THE
COURT'S WEBSITE (www.cacb.uscourts.gov) UNDER:
JUDGES>BASON, N.>CHAPTER 13>CONFIRMATION HEARINGS CALENDAR**

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, September 7, 2023

Hearing Room 1545

11:00 AM

2:00-00000

Chapter

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 HEARINGS
at 11:00 AM CAN BE VIEWED ON THE COURT'S WEBSITE
(www.cacb.uscourts.gov) UNDER: JUDGES>BASON, N.>CHAPTER 13**

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, September 7, 2023

Hearing Room 1545

11:30 AM

2:22-14320 Golden Sphinx Limited

Chapter 15

#1.00 Cont'd hrg re: Motion for relief from stay [NA]
[AFB P-Trading One, Inc. vs Garry Y. Itkin]
fr. 10/11/22, 11/8/22, 11/15/22, 2/7/23,
3/7/23, 5/30/23

GARRY Y. ITKIN
vs
DEBTOR

Docket 48

Tentative Ruling:

Tentative Ruling for 9/7/23:

Continue to 12/5/23 at 2:00 p.m., with status reports from the Foreign Representatives and from Mr. Itkin due 11/28/23. Appearances are not required on 9/7/23. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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Analysis:

This Court has thoroughly reviewed the prior proceedings in this matter. Based on that review, the tentative ruling is that, unfortunately, it is premature to determine whether to lift the automatic stay (beyond the limited relief already granted, dkt. 70 & 71, which apparently has resulted in all of the subject litigation being stayed, see Stat. Rpt., dkt. 110 p. 2:7-9). This Court's reasoning is as follows.

This Court previously expected that the continuance to this date would be a final continuance. See, e.g., Tr. 3/7/23 (dkt. 83) p. 6-18. But that was predicated on anticipated events that turn out not to have occurred.

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Golden Sphinx Limited

Chapter 15

This Court had expected that by this time the Foreign Representatives would have had a chance to "wrap their arms around the issues" (*id.* pp. 12:25-13:1), after "discovery" and whatever else might be needed to enable them to present "whatever issues need to be presented" to the Royal Court in Jersey (or any other applicable courts presiding over non-stayed matters) so that such court(s) could determine whether to authorize or direct the Foreign Representatives to take any action regarding the parties' litigation, or whether to abstain or defer to other courts, or enjoin or consolidate proceedings, or take other action. *Id.* p. 12:15-24. This Court anticipated that, "absent some unexpected developments" (*id.* p. 13:9-10), there would have been a sufficient opportunity for those things to have been presented to and decided by the Jersey Court, and then this Bankruptcy Court should lift the automatic stay, all without prejudice to the Jersey Court (the "center of main interest court") "keep[ing] everything stayed if that's the appropriate way to go based on the application of insolvency law in England or Jersey or whatever the specific jurisdiction is." *Id.* p. 13:10-17.

In other words, this U.S. Bankruptcy Court was anticipating that by now the Jersey Court would have had the opportunity to determine what to authorize or direct Debtor's Foreign Representatives to do, and/or to determine whether it should abstain or defer to proceedings in other courts or, alternatively, whether it had jurisdiction or could exercise jurisdiction to consolidate various proceedings in the Jersey Court. It appears, however, that this Bankruptcy Court has overestimated what was going to be determined.

It now appears that all that was being decided by the Jersey Court was whether or not to remove the Foreign Representatives, and after careful deliberation the Jersey Court has determined that "the least worst option" is to let the Foreign Representatives continue in their official capacities. Para. 36, June 23, 2023 Judgement of Jersey Court (dkt. 109, Ex. A). Although one creditor (Mrs. Sabadash) is funding the liquidation proceedings, and therefore might control the proceedings in a manner that could possibly result in undue prejudice Mr. Itkin or other creditors (*id.*, para. 29-37), any acts by the Foreign Representatives will be subject to careful monitoring by the Jersey Court. *Id.* But any such proposed acts will be the subject of *future* proceedings.

The key point of all this is that the Foreign Representatives have yet to obtain discovery (see Stat. Rpt., dkt. 109, p. 4:10-15) let alone have a sufficient opportunity to seek authorization or direction from the Jersey Court

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CONT... Golden Sphinx Limited

Chapter 15

regarding whether and how to address the "State Court [California] Action" and the "Federal Action" (as those terms are defined in this Court's prior orders). See Orders (dkt. 70, 71). Although Mr. Itkin argues that discovery is unnecessary because the Foreign Representatives have had "ample time to investigate" (Stat. Rpt., dkt. 110, p. 2:24), and because of Mr. Zorkin's alleged knowledge and ongoing involvement with the parties' litigation (*id.*, p. 3:15-17), the tentative ruling is that those things are not sufficiently persuasive at this time.

In sum, the tentative ruling is that this Bankruptcy Court should defer to the "center of main interest" court (the Jersey Court) by continuing the automatic stay long enough for discovery and a sufficient opportunity for the Jersey Court to determine whether and how the Foreign Representatives should be authorized or directed to proceed regarding the State Court Action and the Federal Action. For now, the tentative ruling is that this time has not yet passed.

[PRIOR TENTATIVE RULINGS OMITTED]

Party Information

Debtor(s):

Golden Sphinx Limited

Represented By
Michael Zorkin
Kyle Ortiz

Movant(s):

Garry Y. Itkin

Represented By
Daniel J McCarthy
Boris Treyzon

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, September 7, 2023

Hearing Room 1545

11:30 AM

2:22-14320 Golden Sphinx Limited

Chapter 15

#2.00 Cont'd hrg re: Motion for relief from stay [NA]
[Garry Y. Itkin vs. Golden Sphinx Limited]
fr. 10/11/22, 11/8/22, 11/15/22, 2/7/23,
3/7/23, 5/30/23

GARRY Y. ITKIN
vs
DEBTOR

Docket 49

Tentative Ruling:

Tentative Ruling for 9/7/23:

Please see the tentative ruling for Calendar No. 1 (9/7/23 at 11:30 a.m.).

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Golden Sphinx Limited

Represented By
Michael Zorkin
Kyle Ortiz

Movant(s):

Garry Y. Itkin

Represented By
Daniel J McCarthy
Boris Treyzon